

NAMES ROTHSTEIN IN BALL BRIBERY

Maharg Says New York Man Agreed to Finance Crooked Series.

WEAVER, FELSCH OUT

Cicotte, Williams, Jackson, Gandil and Zelzer Must Bear Brunt of Trial.

BURNS'S STORY IS UPHELD

Philadelphia Man Forced to Undergo Strenuous Ordeal as He Tells His Tale.

Special Despatch to THE NEW YORK HERALD. CHICAGO, July 27.—"Buck" Weaver and "Happy" Felsch, former White Sox, rejoicing in the announcement of Judge Hugo Friend that he will free them if convicted, will take the stand in their own behalf to-morrow in the 1919 world's series baseball trial.

"Swede" Risberg also will testify. In making the decision Judge Friend said the State had not sufficiently implicated them in the alleged conspiracy to "fix" the series.

Ben and Louis Levy, alleged gamblers of Kokomo, Ind., were eliminated from the defendants to-day when the State nolle prossed charges against them. Similar action was refused in the case of Carl Zork, St. Louis shirt-waist manufacturer.

Eddie Cicotte, Claude Williams and Joe Jackson, whose confessions have been read into the record, with "Chick" Gandil and David Zelzer, alleged gamblers of Des Moines, are left to bear the burdens of the prosecution. Zelzer, the mysterious Mr. Bennett referred to by Bill Burns, took the stand in his own behalf at the afternoon session, being the first witness called for the defense. He denied all the State's charges during direct examination by Max Luster, his attorney. He denied that he had ever used the name of "Bennett" and that he had ever been in New York except once, in 1917, that he had ever laid eyes on Arnold Rothstein, whose first lieutenant he was credited with being, or that before they took the witness stand he had seen "Big Bill" Burns or "Bilby" Maharg, his accusers.

He was able to prove, through an alibi, that he was in Chicago on September 28, 1919, the day he was said to have been in New York under the name of "Bennett" attending the alleged conference between Abe Attell, Bill Burns and others, at which the conspiracy is alleged to have had its inception.

Admission Forced From Zelzer. Assistant Prosecutor Edward Prindle forced an admission from him that he had been at the Sinton Hotel, Cincinnati, during the early games of the series, registered with Abe Attell. A page of the hotel register was introduced showing that Zelzer in his own handwriting had registered for himself, Attell, the Levy brothers and Samuel Davis, who accompanied him from Chicago. The State wound up its case by putting on the stand William Maharg of Philadelphia, who told that he knew of the alleged plot, how he went to Texas to get "Bill" Burns and the story of his sporting life.

Maharg stuck fast to the story that the throwing of the 1919 world's series had been proposed by the players themselves in New York as described by Burns. His detailed account of the meetings with gamblers and players agreed in all details with that of Burns. He produced a sensation toward the close of his direct testimony, however, by bringing in the name of Arnold Rothstein, New York gambler, said to have financed the corruption of the White Sox. Rothstein had not been mentioned in the case prior to this point except by implication.

"When Attel refused to pay the money that he had promised the players," Maharg testified, "I went to New York and I called on Rothstein. Because of objections by the defense he was not allowed to tell what Rothstein said to him."

On cross-examination the defense attorneys returned again and again to the old feud between Ben Johnson and Charles A. Comiskey in an attempt to force Maharg into admissions that his testimony had been obtained to wreck the White Sox team.

Maharg Begins Testimony.

As Maharg took the stand Assistant State's Attorney Gorman took up the questioning for the State. He said he was not married, was born in Philadelphia forty-one years ago, has worked for the last year with the Baldwin Locomotive Works.

Q. Do you know Bill Burns? A. Yes, I've known him ten years.

Q. Did you see him in September, 1919, before the world's series? A. Yes, he was in New York and sent me a telegram to come over and see him. He was going to take a hunting trip. I met him at the Ansonia Hotel.

Q. Was anyone with him? A. Cicotte and Gandil. (Rising Maharg identified Cicotte and Gandil as having been in the room with him.)

Q. What occurred? A. Bill introduced me to them. We sat down on a lounge and talked about the world's series.

Q. What was said? A. I heard Cicotte tell Bill that he'd throw the series for the pennant if he could get \$100,000. Gandil said they'd throw the first two games in the series or any other way the fellows who put up the dough wanted them to.

Q. Where did you go next? A. To Philadelphia to see some fellows about financing the deal.

Q. Tell us what conversation you had with Burns in New York about Cicotte and Gandil. Don't mention any names. A. Burns confirmed what I had heard. He said these boys (objection was made and sustained).

Q. What did you tell Burns? A. I told him I would try.

Q. What did you do in Philadelphia? A. I went to a fellow named Roscoe and then I went back to New York.

Q. The second time you went to New York whom did you see? A. Burns and Arnold Rothstein. I went out to the Aqueduct race track and made a date to meet both of them at the Astor Hotel.

Q. Did you meet them? A. Yes.

Q. What was said at this meeting? A. Burns told Rothstein what the players

MAN MADE REFORMS FIND NO SYMPATHY WITH WOMEN

Twenty-four Out of Twenty-five Oppose Bill of Representative Johnson That Would Prohibit Them From Smoking Cigarettes in Washington.

Special Despatch to THE NEW YORK HERALD.

New York Herald Bureau. Washington, D. C., July 27.

Do the women of the country want to be reformed by man-made laws? Representative Johnson (Mis.), a young reformer, thought they did, so he introduced a bill in the House to prohibit women in Washington from smoking cigarettes.

But to-day Mr. Johnson apparently found he had been laboring under a great illusion. Twenty-five women gathered in the District of Columbia Committee room to hear the Mississippi foe of cigarette smoking by women defend his bill. After he had talked two hours and asserted that smoking was injurious to the health and morals of women a straw vote of the women present was taken.

Mr. Johnson was dumfounded. Twenty-four of the twenty-five voted against his bill. Miss Alice Robertson (Okla.), the only woman in Congress and the foe of all reformers, indicated by her questions that she did not favor this type of legislation.

Then at least one woman took occasion to say what she thought of the men trying to reform women. She was Mrs. J. B. Cassidy, wife of an army Colonel, who stated she never had smoked a cigarette.

Q. What did you think of the men trying to reform women? A. I thought it was a waste of time.

Q. What further did you do about financing this fight? A. I went to Philadelphia, thinking that it was all off.

Q. What next occurred? A. I got a telegram from Burns asking me to meet him in Cincinnati.

Q. Then what did you do? A. I went to Cincinnati the next day. I arrived there the morning of the first game a couple of hours before the game. I met Bill at the Sinton Hotel about 5:30 after the first game. I asked Bill how things were coming, and he told me Abe Attell had got Rothstein to finance the series and everything was all right. He said he was to get \$30,000 after each game from Attell.

Q. Did you see Attell that night? A. Yes, about 9:30, at the Hotel. He asked Attell why Rothstein had not come across, and he said he went to Rothstein. Rothstein said he had lots of money, but did not want to get mixed up in it. Attell said that he had told Rothstein that he had saved his life once in a shooting scrape, and finally Rothstein agreed. Attell said he had been down in a telegraph office waiting for the money. He couldn't pay until it came.

Q. What else was said? A. Burns went into the hotel. I asked Attell what he was trying to do. Attell said he was going to get the money all right, but he'd lose it on the side lines. I told him that it looked to me as though he was trying to get the money all right, but he'd lose it on the side lines. I told him that it looked to me as though he was trying to get the money all right, but he'd lose it on the side lines.

Q. Who was there? A. Attell, Bennett, Burns and three or four others.

Q. Did you see Mr. Bennett, now? (Maharg, rising, identified David Zelzer of Des Moines as Bennett.)

Q. Did Bennett say anything? A. Bennett said that the players couldn't win the series because they had lost the gamblers in the East and West, and they couldn't bet any money. Attell said Rothstein had \$300,000 on the series when the series was over they'd all be rich.

Q. Before Burns left was anything said about the next game? A. Yes, they wanted Burns to tell the boys to win the next game. The gamblers told the odds were so short they couldn't get their money down. Burns came back and said the boys couldn't win. As they didn't win for Williams or Cicotte, they wouldn't win for a bushy (Kerr).

Q. Where did you go next? A. I came on to Chicago. Attell took all the bets that he could make that Cincinnati would win the series. He heard him turn down bets with fellows who wanted to wager on the Reds. Bennett said he would put up \$20,000 of his own money and let the Reds win two games; that this would net \$4,400 for them.

Q. Where did you see Attell next? A. At the Sherman House. Cicotte was before the fourth game. Attell told Burns he had some bankers coming to make arrangements for the game. Attell had a tin box. A fellow came in. Attell showed him a lot of Comiskey. He said a fellow had been working on percentages for him.

Q. Whom did Attell say the man was? A. He didn't say.

Q. Did you go to see the players that night? (The night of the third game.) A. No, sir.

Q. Did you go back to Cincinnati for the rest of the series? A. Yes, I stayed in Cincinnati till the end of the series; then I went back to New York.

Q. Did you see Attell or Rothstein? (Objected, sustained.) How long did you go to school? A. I didn't get much schooling. I left school when I was about 10 and worked on a farm.

Q. Who was the first person you told this story to? A. Mr. Isaminger, the sporting editor of the Philadelphia North American.

This ended the direct examination. Maharg was cross questioned by Attorney Benedict J. Short for the defense.

Q. Mr. Maharg, when you saw in the newspapers that the Grand Jury was investigating the series, you went to Mr. Isaminger? A. Yes.

Q. You saw in the papers there was a reward of \$10,000? A. Yes.

Q. Who offered it? A. I don't know. All I know was what I saw in the papers.

Q. Did this newspaper man come to you? Yes, sir, to my room.

Q. Didn't you send Charles Comiskey a telegram saying, "I accept your offer to tell what I know, and will come to Chicago to testify"? A. No, sir.

Q. Didn't you send him a telegram saying, "A certified check will be turned over before I testify"? A. Yes.

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SMALL UNDECIDED WHETHER TO SUBMIT

Refusal of Sangamon Officials to Go After Him Has Upset His Plans.

CHICAGO, July 27.—Gov. Len Small, indicted on charges of embezzlement of State funds while he was State Treasurer, left tonight supposedly for his home at Kankakee after a day of conferences with attorneys here. Following the Governor's departure, his chief counsel, Albert Prink, announced that while several conferences had been held, no decision had been reached as to the next move by the State Executive.

Refusal of the Sangamon county authorities to come to Chicago and arrest the Governor and their expressed willingness to await his return to Springfield under the plans laid last night for a hearing on habeas corpus proceedings before a Cook county court.

Gov. Small's attitude toward "unconditional surrender" had not been made known to Sheriff Henry Mester of Sangamon county to-night.

There is no desire to embarrass or humiliate him, Sheriff Mester said, "and we will not go to Cook county to serve the warrant."

"If any come here and arrange his bonds if he has decided to abandon his idea of protesting against arrest."

At the Governor's office to-night it was said the State Executive was "presumably still in Chicago."

Friends of Gov. Small said they believed he had not given up his intention to "peacefully resist arrest," adding that he would probably exhaust all legal resources before he would submit to the courts before making his surrender.

OHIO GIRL MISSING ON TRIP TO JERSEY

Fails to Arrive at Irvington for Marriage to Veteran.

Miss Marie Ball, 18, got on a train at Defiance, Ohio, last Friday for Irvington, N. J., where she was to marry Robert Widasek, who was a buddy of her brother, Harvey, when they were convalescing from war injuries in the base hospital in the Greenhut Building, this city. The romance began last summer when Widasek paid a visit to the Ball home.

Recently he sent car fare for Marie to make the trip.

But she has not arrived. On Monday, Widasek, who lives at 28 Twenty-second street, Irvington, received a letter from the young woman's mother announcing that the girl had left for Irvington, and Tuesday he had another letter addressed to her in his care.

Widasek cannot imagine what has delayed his bride-to-be, and a general police alarm has been sent out for her.

EIGHT WHITE SOX LEAVE CAPITAL FOR THE TRIAL

Are Subpoenaed as Witnesses for the Defence.

WASHINGTON, July 27.—Eight members of the Chicago American League club, subpoenaed as defence witnesses in the trial of the former White Sox players for alleged conspiracy to throw the 1919 world's series, left to-night for Chicago, where they are to testify Friday.

Those receiving summons were Ray Schalk, Eddie Collins, Urban Faber, Dick Kerr, Roy Wilkins, Harvey McClellan, Manager Gleason and Trainer Stephenson.

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HOUSES COST \$2 A LOOK.

TORONTO, Ont., July 27.—Some landlords here are asking prospective tenants \$2 for the privilege of looking at apartments.

Complaining to the newspapers to-day about it one house hunter said a landlord told him the \$2 would not apply on the rent if he should accept the apartment. "I charge you \$2 to look at the place," said the landlord. "It has nothing to do with the rent."

GAVIN'S CLUB PLAYS STATE BOXING BOARD

Continued from First Page.

denounces this as "iniquitous" and not called for under the law creating the commission, for the passage of which act Mr. Gavin and his club assume full credit. He complains that while the International was being held up "obscure and unknown promoters in the Bronx and upstate were enjoying the benefits of a license" without red tape.

It was only after a threat of legal proceedings had been made, and then only two days before the Herman-Lynch bout, that the commission finally granted the license, Mr. Gavin says. He contrasts the methods of the New Jersey Commission, which acted very promptly in the matter of granting a license to the club for the Carpenter-Levin fight, and he says, cooperated in every way with the International officials.

Such cooperation cannot be obtained from the New York Commission, and that on the contrary only "obstacles and difficulties" need be expected, Gavin says, "we have accordingly decided to stage no more bouts in this city until October next, when we will conduct the entertainment of our members free from the interference of an unfriendly commission and certain baneful political influences which have hampered and harassed us from the beginning."

In the meantime the matches for the world championships upon which we hold options will, for the reasons previously stated, be staged in Jersey City."

Plot Charged by Gavin. Mr. Gavin's letter concludes with a refusal to appear before the commission in reply to its summons for next Tuesday. Referring to the events of last Monday night, which brought about the suspension and the summons to the proposed hearing, the Gavin letter reads:

"With regard to the studiously circulated reports reflecting on the management at Ebbets Field, they were most cases false, and in all cases preposterously exaggerated. Perhaps all, save one, the wires of the electric lights were out fifteen minutes before the time due for the main bout to be staged; and had we not been forewarned that this would be attempted and provision made to circumvent it, hundreds of innocent persons might have been hurled to their doom."

"The plotter of this dastardly act was also responsible for the reports which were circulated on the morning following the Carpenter-Levin match, casting discredit on the bona fides of the contestants; the malicious statements regarding the club's finances and the honesty of its officers, which have been put into circulation from time to time, and lastly, the delay in the granting of our license."

When asked whom he had in mind as the "plotter" against the club, Mr. Gavin declined to be any more specific than as indicated in the letter.

Charles H. Ebbetts, in a statement issued yesterday, said that the published reports of trouble outside Ebbets Field Monday night were "greatly exaggerated," and that he assumed full responsibility for whatever transpired outside the gates as the result of his own order to close them when the lights failed.

HARVEY OUT ON BAIL. Herbert S. Harvey, former Sheriff of Queens county, who on Tuesday obtained a certificate of reasonable doubt preparatory to his appeal from his conviction on a charge of bribery in Nassau county, was admitted to \$10,000 bail yesterday by Supreme Court Justice Gannon in Brooklyn.

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SIX FIRMS DECLINE TO PROSECUTE HERO

Drop Forgery Charges Against Man Who Fought in France Five Years.

Six Newark firms dropped charges of forgery yesterday against Patrick H. Leary of 506 Grood street, Newark, because of his excellent record in the war with Germany and the difficulty he has had in caring for his family since he returned to this country. He was arrested, however, and sent to Somerville, N. J., where there are two charges of forgery pending against him because of alleged fraudulent checks which he gave as deposit on various purchases.

Leary served in France for five years as a Captain in the Australian and New Zealand Expeditionary Corps, and was badly shell shocked. He returned to the United States after the armistice and was married in Brooklyn. Then he moved to Somerville and later to Newark. He tried to find work but said he had been able to find only odd jobs which did not bring in sufficient money to support his wife and give her the comforts to which he felt she was entitled.

Last week, according to the Newark Police Department, Leary took out a policy of \$5,000 with the Mutual Benefit Life Insurance Company and gave a forged check for \$154 as the first premium payment. He did this, he told the police, with the intention of committing suicide so his wife could get the money and be able to make her own way. Besides this, he said, by the police to have admitted passing other forged checks, aggregating \$100, in Somerville.

When he moved to Newark, the police

ark which have agreed not to press charges are the Picard Motor Sales Company, the Armstrong Piano Company, Edwards & Crist, Good Housekeeping, in each case giving a forged check as a deposit. The firms in New-

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